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13 Attorney for Defendants

14  
**IN THE UNITED STATES DISTRICT COURT**  
15  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**  
16

17 LOS PADRES FORESTWATCH, a non-profit ) Case No. C 10-03653  
18 organization, )  
Plaintiff, )  
19 v. )  
UNITED STATES FOREST SERVICE, PEGGY )  
20 HERNANDEZ, in her official capacity as Forest )  
Supervisor for the Los Padres National Forest, )  
21 Defendants. ) /

**JOINT STIPULATED REQUEST FOR  
AN EXTENSION OF TIME TO FILE  
DEFENDANTS' BRIEF RELATED TO  
PLAINTIFF'S MOTION FOR A  
PRELIMINARY INJUNCTION  
AND ORDER**

Date: November 2, 2010  
Time: 2 p.m.  
Courtroom 4, 5<sup>th</sup> Floor

Honorable Lucy H. Koh (LHK)

1 Plaintiff Los Padres ForestWatch and Defendants United States Forest Service and Peggy  
2 Hernandez (together the “parties”) have been engaged in good faith discussions to try to resolve this  
3 lawsuit through a negotiated settlement. The parties are attempting to negotiate further interim  
4 measures that will allow the parties to continue their settlement discussions. The parties believe that  
5 this will enable them to reach a global settlement on all issues in this matter. The parties thus hereby  
6 jointly request that the Court grant Defendants a two-day extension on their brief to be filed in this  
7 matter.

8 SO STIPULATED

9  
10 /s/ Michael W. Graf  
Michael W. Graf  
11 Attorneys for Plaintiff

12 /s/Peter C. Whitfield  
Peter C. Whitfield,  
United States Department of Justice  
13 Attorneys for Defendants

14 TRO-PI extension 10.25.wpd

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED:  
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4 The Court, having reviewed the Joint Stipulated Request for an Extension of Time to File  
5 Defendants' Brief Related to Plaintiff's Motion for a Preliminary Injunction, hereby grants an  
6 extension of time. Defendants' brief in response to Plaintiff's motion shall be due October 27, 2010  
7

8 The preliminary injunction hearing was originally set for September 2, 2010. Per the parties'  
9 stipulation, the Court continued the September 2, 2010 hearing and briefing, and set a hearing for  
10 November 2, 2010. Defendants' responsive brief was due ten (10) days before the hearing, which  
11 makes this current request untimely -- at the latest Defendants' brief was due today. Although  
12 hesitant to delay briefing yet again, the Court will allow this last extension of time based on the  
13 parties' representations that further time will allow them to "reach a global settlement on all issues  
14 in this matter." Further extensions are strongly disfavored. If a settlement is reached, the Court  
15 expects the parties to file a joint stipulation of dismissal by Wednesday, October 27, 2010 in  
16 lieu of further briefing.

17 Dated: October 25, 2010

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Lucy H. Koh  
LUCY H. KOH  
UNITED STATES DISTRICT JUDGE